



TOWN OF HANOVER
CONSERVATION COMMISSION
MINUTES
February 1, 2006

T. Admin
T. Clerk
SO
JS
NM
DM
LH
SM
PG

Members/Staff present:

James M. Smith, Vice Chairman
Neal Merritt, Hearing Officer
Laura Horky, Commissioner
Patrick Gallivan, Conservation Agent
Sandra D. MacFarlane, Secretary

Members/Staff not present:

Stephen T. O'Leary, Chairman
Deke Moore, Commissioner

Others present:

Attached List

The meeting, which was held in the second floor meeting room at Hanover Town Hall, was called to order at **7:08 PM** by Vice Chairman James M. Smith.

DISCUSSION:

7:05 PM **By-Law Fee reduction request-** Village Commons- off Park Drive

PRESENT: Brent Watts, PE, McKenzie Engineering Group, LLC, Applicant's Representative, James O'Brien, Property Owner, and Attorney Robert Tombari

DISCUSSION: The Commission reviewed a 1/18/06 letter and preliminary subdivision plan prepared by McKenzie Engineering Group, Inc., for a proposed Planned Residential Development for Seniors (PRDS) known as Village Commons to be located off Park Drive. The letter pertained to a reduction in Notice of Intent application fees. It was noted that although the letter requested reduction of the local filing fees paid under the Wetlands Protection Act, only the By-Law portion of fees could be reduced by the Commission. Mr. Watts explained in detail, the proposed number of buildings/units in relation to the number allowable for this type of project. Mr. O'Brien explained that the number of buildings/units had been reduced in an effort to maintain a *New England Village* type setting instead of constructing the maximum number of units allowable under Hanover's current Zoning By-Laws. Mr. Watts added that a similar request for fee reduction was approved by the Commission in 2001 for the subdivision known as The Elms. Commissioner Horky noted that the reasons given thus far for the reduction had not convinced her of the necessity for the reduction. Vice Chair James Smith noted that he appreciated the *New England Village* design adding that he would support a motion to reduce the fees as presented. Commissioner Neal Merritt also noted support of the *New England Village* concept.

VOTE: JS-yes, NM-yes, and LH- NO: **to reduce the By-Law portion of the Notice of Intent fees** for the proposed PRDS project located off Park Drive, known as Village Commons, from a total project By-Law fee of \$10,700.00 **to \$5,450.00. As per this vote, the fee will be reduced.**

PUBLIC HEARINGS/MEETINGS:

7:30 PM **BL 06-01, SE 31-895, 64 Lally Farms Drive-** NOI- *OPENING HEARING FOR SFD*

PRESENT: Gregory Morse, McKenzie Engineering Group, Inc., Applicant's Representative, Jennifer and Michael Reidy, Property Owners

DISCUSSION: Mr. Morse presented a plan dated 1/6/06 for the construction of a single family dwelling, driveway with turnaround area and associated site preparations, and accessory structures. The Commission suggested that the grade be changed at the driveway turnaround to decrease the amount of run-off toward the wetland. Abutter Francis Satterwhite, 127 Walnut Street, presented photos showing the present grade of his property. He noted that while not in opposition to the house, he is still concerned with increased water flow onto his property. Mr. Morse explained that the current design decreased the amount of run-off in the direction of his house. In response to a question concerning drainage calculations, Mr. Morse noted that they were not required for a single family dwelling project and that the design of the stormwater management system within the subdivision was approved by the Commission including a proposed house of similar size and location. A concern for the change in elevation at the main entrance of the subdivision, Lally Farms Estates, was raised by Hanover Resident Brian Connolly. Although not an issue for the present hearing, Mr. William Lally, Jr., developer of the subdivision, spoke to the issue. He noted that there is more work to be done within the subdivision and that the issue will be addressed. The Agent suggested continued monitoring of the situation with a report to the Conservation Office if the issue is not resolved.

VOTE: JS-yes, NM-yes, and LH- yes: **to close the hearing and issue an Order of Conditions** contingent upon the submission of a revised plan showing a revision to the grading in the location of the driveway turnaround to direct the run-off toward the front of the parcel and away from the wetland.

7:30 PM **SE 31-891, Bickford's Fam. Restaurant-** NOI- *cont'd from 1/4/06 meeting FOR SEPTIC UPGRADE*

PRESENT: Ms. Claudia Krug, Wind River Environmental, Applicant's Representative.

DISCUSSION: Ms. Krug gave a brief history of the project and reviewed revisions to the plan which included the required improvements to run-off at the rear of the property. The Agent noted that the revised plan had also been reviewed by the DPW Superintendent who agreed that it was an improvement to the site. Although not in the initial NOI, Ms. Krug requested additional approval of 4 test borings on site.

VOTE: JS-yes, NM-yes, and LH- yes: **to close the hearing and issue an Order of Conditions** based upon the revised plan dated 12/21/05 including approval for test borings, and with a condition for the installation of a crushed stone trench on the western side of the property.

7:30 PM **SE 31-882, Blue Heron Way Subdivision.-** NOI- *cont'd from 12/7/05 meeting FOR SUBDIVISION*

PRESENT: Darren Grady, Grady Consulting, LLC, Applicant's Representative, and Jacqueline Murtha, Property Owner

DISCUSSION: Mr. Grady gave a brief history of the project and reviewed revisions to the plan based upon recommendations by Natural Heritage and Endangered Species Program (NHESP) including a reduction in the amount of priority habitat disturbance, planting of native vegetation including blueberry bushes, replacement of granite curb with sloped cape cod berm, and an increased number of

conservation posts/setback markers. It was also noted that NHESP requires a conservation restriction with submission to NHESP of an annual report, and suggested that the Conservation Commission could serve as the monitor. Mr. Grady noted that the homeowner's association is responsible for maintenance of the infiltration basin which is to be mowed twice each year. A lengthy discussion ensued with Abutters Nancy and Leo Chaponis concerning the responsibilities of the Homeowner's Association, monitoring of the conservation restriction, and increased run-off to her property. The Agent noted that the monitoring and enforcement activities of the Conservation Office are taken seriously and assured Ms. Chaponis that if the Commission takes on the monitoring for NHESP, it will be carried out. Hanover Resident Brian Connolly questioned the increased flow of run-off into the wetlands on the adjacent Town owned property. Mr. Grady stated that the design will decrease the flow in that direction. The Agent explained drywells for roof run-off and noted that they are requirement for building a new house. And further, that each lot with work proposed within the Commission's jurisdiction will require a new NOI application. Ms. Samantha Woods, North and South Rivers Watershed Association (NSRWA), explained the process of conservation restrictions and suggested that the monitoring be placed with a third party such as The Wildlands Trust of SE MA. Mr. Grady reviewed a letter dated 1/27/06 from the Commission's Consultant, Amory Engineers and noted that all required revisions as per Mr. Amory have been addressed. Abutter Nancy Chaponis requested time to hire a wetland consultant, at her own cost, to review the proposed roadway area. Vice Chair Smith explained that the project has been reviewed by Planning Board, DPW, NHESP, Amory Engineer's and that the final decision regarding further review is up to the property owner, and that permission to access the property is required. It was noted that the project does not have final Planning Board approval and due to the question of a conservation restriction, a continuance is necessary. It was motioned to continue the hearing in order to further explore how best to monitor the wildlife habitat under the conservation restriction.

VOTE: JS-yes, NM-yes, and LH- yes: **to continue the hearing** to 3/1/06 at 7:30 PM.

ACTION ITEMS

1. **SE 31-833, 59 Russell Road-** request for Certificate of Compliance (COC)

VOTE: JS-yes, NM-yes, and LH- yes: **to issue the COC.**

2. **SE 31-787, 44 Stone Meadow Lane-** request for COC

VOTE: JS-yes, NM-yes, and LH- yes: **to issue the COC.**

3. **SE 31-143, 1124 Hanover Street (Mass Elect.)-** request for COC and waiver of fees

VOTE: JS-yes, NM-yes, and LH- yes: **to issue the COC with a waiver** of late fees.

4. **SE 31-733, 26 Davis Street-** request for COC

VOTE: JS-yes, NM-yes, and LH- yes: **to issue the COC** contingent upon the receipt of the Response Action Outcome report.

5. **SE 31-879, 16 Honeysuckle Lane-** request for review of rev'd plan-relocation of FEMA replication

VOTE: JS-yes, NM-yes, and LH- yes: **to approve the revised plan** dated 1/26/06 as presented.

6. SE 31-747, Lally Farms Subdivision- request for an Extension Permit

VOTE: JS=yes, NM=yes, and LH- yes: **to issue the a three year Extension Permit.**

7. **FY'07 Conservation Commission Budget-** available for review and approval

VOTE: JS=yes, NM=yes, and LH- yes: **to accept the FY'07 Budget** for the Conservation Commission as presented by the Agent.

8. **BL 05-31-01, 8 Brook Circle-** Blanket DOA for Test Pits- The Agent reported that the Blanket DOA had been issued for soils exploration for the purposes of test pits on this parcel.

OPEN SPACE UPDATE: Commissioner Laura Horky reviewed a Mass Parks AmeriCorps 2006 Project Proposal Form for the construction/repair of a bridge for public access at the Factory Pond Loop Trail. It was also reported that the Open Space Committee reviewed and approved of the Eagle Scout Projects for Boy Scouts Sawin and MacDonald.

ADMINISTRATIVE:

- ☒ Approval of Minutes for **1/4/06** meeting- **approved**
- ☒ Sign Bills - **signed**
- ☒ Review Correspondence- **reviewed.**
- ☒ Review of Wetland Consultant- Nover-Armstrong Associates- **reviewed and approved**
- ☒ Review of draft letter of request- use of 131.40 funds for Equipment Replacement/ Office Inventory- **reviewed and approved.**
- ☒ Conservation Staff Report- accepted.

The meeting was adjourned at 10:55 PM.

Minutes respectively submitted,

Sandra D. MacFarlane, Conservation Commission Secretary